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INTEROFFICE CORRESPONDENCE

DATE: November 22, 1991

TO: P. Bunge, Remediation Programs Division, Bldg. T130B, X7121

FROM: S. M. NESTA, National Environmental Policy Act Division, Bldg. 051, 273-6076 *SMN*

SUBJECT: OPERABLE UNIT 2 SUBSURFACE INVESTIGATION INTERIM MEASURE/INTERIM
REMEDIAL ACTION PLAN/ENVIRONMENTAL ASSESSMENT (IM/IRAP/EA)
DOCUMENT OUTLINE - SMN-0266-91

NEPA received a copy of the DOE, RFO letter (91-RF-4428) transmitting the subject IM/IRAP/EA document outline to both the US Environmental Protection Agency (EPA) and the Colorado Department of Health (CDH) for regulator reviews. Since this outline and schedule included reference to an EA, a check with NEPA personnel was conducted to determine if NEPA members had previously reviewed this document while in a draft stage. All replies were negative.

As a result of the above inquiry, NEPA requested a number of its staff to review this document. Comments received from these reviewers have been assembled into a consolidated response format, which is attached for your consideration and utilization.

NEPA is pleased to have provided this review and looks forward to coordinating with RPD in future document reviews and in providing technical assistance. Should you have any questions in reference to the comments given, please contact Dick Flory at 273-6188.

RCF/bmb

Attachment:
As Stated

cc:
File w/o Attach.
J. E. Evered
R. C. Flory
K. C. London

RECEIVED

A-0002-000857

Operable Unit 2 Subsurface IM/IRAP/EA Document Outline

NEPA REVIEW COMMENTS

<u>NO.</u>	<u>SECTION</u>	<u>COMMENT</u>
1	General	Cover letter to EPA and CDH states this to be a IM/IRAP/EA document; however, both the schedule and the outline heading omit the EA portion.
2	Schedule Act.A2a	Need to include draft register notice for EA
3	Act.A4a	Add "and comment" after review
4	Act.A5	Three days is insufficient for a revision based on comments, plus printing and distribution.
5	Act.A6	Forty days for a <i>Federal Register</i> notice under 10CFR1022 is unrealistically optimistic. Closer estimate for planning purposes should be 80 days. Also, if there are adverse impacts to wetlands, expect public comments which will have to be addressed.
6	Act.A8b	Good place to add "Draft FONSI for submittal to HQ."
7	1.1	No mention of the EA process.
8	2.2	"Air" is not included in this section, but it is included in follow-up areas such as 2.3.6 and 4.1.4.3.
9	2.2.5	Change this heading to read "Endangered Species"
10	2.2.6	Change this heading to read "Sensitive Environments, Wetlands and Floodplains".
11	2.0	There should be substantial NEPA/Biota inputs to Sections 2.2.4, 2.2.5, 2.2.6, and 2.2.7. NEPA should perhaps write these sections or <u>at least</u> thoroughly review sections 2.2.5 and 2.2.6.
12	3.0	Add "and schedule" to end of Section heading.
13	3.3	It would seem that an appropriate objective is also compliance with the requirements of the Natural Resource Damage Assessment (NRDA) process.
14	4.1.4.1	This section references land disposal. Why is that even an issue for interim action?
15	4.1.4.3	Mitigation measures need to be included as part of the Environmental Impacts. All the impacts shown must be evaluated after mitigation has occurred.

<u>NO.</u>	<u>SECTION</u>	<u>COMMENT</u>
16	4.1.4.3	Water Quality Impacts: Effluent water quality should also be compared to discharge requirements established for off-site release, if different from those for chemical-specific ARARs.
17	4.1.4.3	Terrestrial and Aquatic Impacts: Third line states "negatively impacted". Positive impacts, if any, should also be included.
18	4.1.4.3	Wetlands/Floodplains: Are areas where NEPA should have substantial input and review responsibilities. If an adverse impact to wetlands is anticipated, or there is a need for an assessment, NEPA's experience with 10CFR1022 and COE permitting, would be very useful.
19	4.1.4.3	Threatened and Endangered Species: Any discussion of T&E has to be expanded well beyond just three species. Under the soon-to-be promulgated changes to 10CFR1021, federal candidate and state T&E species will have to be considered as well. Basically, the total compliance list for impacts to Species of Concern (SOC) will have to be reviewed. Also, the blanket statement "...will not impact T&E species..." is premature until site characterization data that may indicate the possible presence of compliance listed species is examined. Such statements give the impression that EG&G and DOE, RFO are not sensitive to the issues surrounding T&E species and are not cognizant of 10CFR1021.
20	4.1.4.3	Threatened and Endangered Species: Have the necessary compliance actions, i.e., biological studies/reports, for the Endangered Species Act, Wildlife Coordination Act, etc., been completed? The schedule calls for the draft IM/IRAP/EA to be completed 31Jan92 and this is not the season to undertake biological surveys, and then allots 20 days for the DOE, HQ review and approval of the document. However, DOE, HQ is apparently playing hardball by requesting U. S. Fish and Wildlife Service approvals before approving an EA. Will this have an affect on HQ's review of the document?
21	4.1.4.3	Archeological and Historic Sites: Confirmation from the State Historic Preservation Officer may be needed before stating conclusively that no sites with potential eligibility to National Register of Historic Places will be impacted. Should also reference and utilize Cultural Resources Survey of RFP dated 8/1/91 before drawing any conclusion.
22	4.1.4.3	Short-Term Use and Long-Term Productivity: Correct word "Used" in heading. Since Personnel Exposures include risk to general public, it may be appropriate to discuss short-term negative effects to the general public. First sentence, remove the word "minor" and change the word "of" to "or operation". Also need to add statements relating to commitments of resources.
23	4.2	Mound (Site 2): Refer to comments presented for Section 4.1.

<u>NO.</u>	<u>SECTION</u>	<u>COMMENT</u>
24	4.3	East Trenches (Site 3): Refer to comments for Section 4.1
25	4.5	Environmental Evaluation of No Action: Describe the term "No Action" and provide answers or reasons why this action fails to meet agency's needs.
26	4.5.1	Air Quality Impacts: The 1980 EIS is generally recognized as less than adequate; Therefore, it's use as a source document is not advisable. Presumably, there must be more current air quality data available with all of the air monitoring work being undertaken since the 1980 EIS.
27	4.5.2	Water Quality Impacts: Refer to Comment No. 16. In reading the outline, it appears that the 2nd paragraph under Section 4.5.8 should be moved up to become an additional paragraph under Section 4.5.2.
28	4.5.3	Terrestrial and Aquatic Impacts: When was the ecological risk assessment prepared that demonstrates that "...contaminants in groundwater do not result in demonstrable ecological changes."? How does this statement work with the one in Section 4.5.11 regarding "adverse environmental effects"? Also, how does this statement work with the one in Section 4.5.2 which states "...will include contaminant concentrations and distribution of VOCs and radionuclides in ground water at OU2 that most likely contribute towards increased environmental risk and degradation."
29	4.5.5	T&E Species: Again, the statement regarding no impact may be premature. NEPA should review existing data and prepare a biological report.
30	4.5.8	Personnel Exposures: It probably should be stated, if accurate, that the seeps do not contribute any contamination to surface water systems. However, could activities near seeps present health risks to workers? It is an accepted fact that contaminant plumes will migrate off-site? Is this statement based on empirical or model data? If so, when? Can't VOCs be expected to substantially degrade as they pass through subsurface materials?
31	4.5.11	Cumulative Impacts: Again, the assumption that VOCs and nuclides will migrate off-site - when and where, based on empirical or model data? Will VOC degradation occur? Are the nuclides actually mobile enough to present "...severe threats to public health..."? It seems we are psychologically predisposing ourselves to a massive, and perhaps, cost ineffective, clean-up action? We are also undercutting our chances of arriving at an unbiased assessment of the "No action" alternative with these comments.
32	5.2	Schedule: What happened to the NEPA schedule? After the EA is completed, there won't be any further actions - CXs, FONSI's Sitewide EIS database, etc?
33	General	Need a Section 7 entitled "Consulting Agencies". Could include USF&WS, EPA, CDH, CDW, etc.